

**FILED**

JUL 23 2008

*[Signature]*  
CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

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JAY A. HEINTZ,

Plaintiff,

vs.

RELIASTAR LIFE INSURANCE  
COMPANY,

Defendant.

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CIV 07-4085

JUDGMENT OF DISMISSAL

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Based upon the Joint Motion for Dismissal, it is hereby,

ORDERED, ADJUDGED AND DECREED that the Complaint of the Plaintiff is hereby dismissed upon the merits, with prejudice, and with each party to pay its own costs and attorney's fees.

Dated this 23<sup>rd</sup> day of July, 2008.

BY THE COURT:

*[Signature: Lawrence L. Piersol]*  
\_\_\_\_\_  
Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

BY: *[Signature: Shelly Margulies]*  
\_\_\_\_\_  
DEPUTY